REMARKS

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks.

There is no additional fee for this Amendment because the total number of claims has not changed and the total number of independent claims is not more than three. If any fee is determined to be necessary, the Commissioner is authorized to charge Deposit Account 19-3550.

Amendment to Claims

Independent Claims 1 and 44 have been canceled and replaced by new independent Claims 56 and 57 wherein the preambles of Claims 1 and 44 have, respectively, been appropriately rewritten as recited claim limitations. Claims 2, 29-33, 35-37, 42, 43, 45-51, 53 and 54 has been amended to depend from Claim 56 in view of the cancellation of Claim 1. Claims 8 and 55 has been amended to depend from Claim 57 in view of the cancellation of Claim 44.

Claims 2-33, 35-43 and 45-57 remains in the application, with Claims 23 and 49 withdrawn from consideration.

Claim Rejections - 35 U.S.C. §103

The rejections of Claims 1-7, 9-14, 29-33, 35-40, 47 and 48 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114 in

view of Thompson et al., U.S. Patent 5,640,659, are overcome or otherwise rendered moot by the above Amendment.

It is initially noted that Averill et al. is expressly directed to flexography, and specifically the flexographic printing of compact discs, rather than electrophotography. Such techniques differ significantly in process, in ink and toner, and in the use of an intermediary transfer body. In view of such differences, one of ordinary skill in the art would not find the disclosure of Averill et al. particularly relevant to the claimed invention.

Furthermore, the teachings of Averill et al and Thompson et al. are completely distinct. As noted below, these references fails to provide a teaching, suggestion or motivation for the proposed combination. Further, such combination does not fulfill the requirements of the amended claims.

By the above Amendment, independent Claim 1 has been cancelled and replaced by new independent Claim 56 and Claims 2-7, 9-14, 29-33, 35-40, 47 and 48 have been appropriately rewritten to depend, directly or indirectly, from new independent Claim 56.

The printing device of Claim 56 requires a receiving device to which one or more heating elements for introducing heat energy into the substrate are assigned as well as a cooling device assigned to the transfer medium of each said printing unit, which removes heat energy from the transfer medium.

The Office Action alleges that Averill et al. teaches in FIG. 1 a printing device "having a receiving device, 128, which can be heated using ovens 40, 42, and 44, to which one or more heating elements, i.e. ovens 40, 42, and 44 for introducing heat energy into the substrate are assigned."

The Office Action acknowledges that Averill et al. is silent regarding a cooling device assigned to the transfer medium of said printing unit, which is capable of removing heat energy from the transfer medium. The Office Action, however, alleges that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Averill et al. to include the cooling device taught by Thompson et al. because Thompson et el. teaches the cooling means prevents overheating.

It is respectfully noted that the "ovens" disclosed in Averill et al., i.e., the ovens 40, 42 and 44, are "ultraviolet curing ovens." [See Averill et al., U.S. Patent 5,865,114, column 13, lines 26-30.] Thus, rather than operating via the input of thermal energy, the "ovens" of Averill et al. employ the application of ultraviolet light to effect the desired cure. Consequently, Averill et al. fails to show or suggest a printing device that includes a receiving device to which one or more **heating elements for introducing heat energy** into the substrate are assigned, as required by Claim 56.

Moreover, as Averill et al. fails to show or suggest a printing device that comprises one or more heating elements for introducing heat energy into the substrate, there is no motivation or reason to modify Averill et al. to include the cooling device taught by Thompson et al. That is, there has been no prior art showing of the need or desirability of incorporating a cooling device as taught by Thompson et el. in the ultraviolet curing-based system of Averill et al.

Claim 56 is thus patentable over the proposed combination of Averill et al. and Thompson et al.

Claims 2-7, 9-14, 29-33, 35-40, 47 and 48 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejections of Claims 15-22 and 41-43 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114 in view of Thompson et al., U.S. Patent 5,640,659, as applied to Claims 1, 14 and 40, further in view of Yawata et al., U.S. Patent 5,197,384, are overcome or otherwise rendered moot by the above Amendment.

Claims 15-22 and 41-43 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejection of Claim 24 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114 in view of Thompson et al., U.S. Patent 5,640,659, and Yawata et al., U.S. Patent 5,197,384, as applied to claim

22 and further in view of Eisler, U.S. Patent 2,971,073, is overcome or otherwise rendered moot by the above Amendment.

Claim 24 depends from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejections of Claims 25 and 26 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114, Thompson et al., U.S. Patent 5,640,659, Yawata et al., U.S. Patent 5,197,384, and Eisler, U.S. Patent 2,971,073 as applied to Claim 24 and further in view of Schultheis et al., U.S. Patent Application Publication 2007/0172268, are overcome or otherwise rendered moot by the above Amendment.

Claims 25 and 26 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejections of Claims 27 and 28 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114, Thompson et al., U.S. Patent 5,640,659, Yawata et al., U.S. Patent 5,197,384, and Eisler, U.S. Patent 2,971,073, and Schultheis et al., U.S. Patent Application Publication 2007/0172268, as applied to Claim 26 and further in view of Waterschoot, U.S. Patent 6,539,197, are overcome or otherwise rendered moot by the above Amendment

Claims 27 and 28 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejections of Claims 8, 44-46 and 55 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114,in view of Thompson et al., U.S. Patent 5,640,659, as applied to Claim 1, and further in view of Yawata et al., U.S. Patent 5,197,384, are overcome or otherwise rendered moot by the above Amendment.

Claims 45 and 46 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

Independent Claim 44 has been cancelled and replaced by new independent Claim 57 and Claims 8 and 55 have been appropriately rewritten to depend, directly or indirectly on new independent Claim 57.

The printing device of Claim 57 requires a receiving device to which one or more heating elements for introducing heat energy into the substrate are assigned as well as a cooling device assigned to the transfer medium of each said printing unit, which removes heat energy from the transfer medium.

As set forth above, the "ovens" disclosed in Averill et al. are "ultraviolet curing ovens." [See Averill et al., U.S. Patent 5,865,114, column 13, lines 26-30.] Thus, rather than operating via the input of thermal energy, the "ovens" of Averill et al. employ the application of ultraviolet light to effect the desired cure. Consequently, Averill et al. fails to show or suggest a printing device that includes a receiving device

to which one or more **heating elements for introducing heat energy** into the substrate are assigned, as required by Claim 57.

Moreover, as Averill et al. fails to show or suggest a printing device that comprises one or more heating elements for introducing heat energy into the substrate, there is no motivation or reason to modify Averill et al. to include the cooling device taught by Thompson et al. That is, there has been no prior art showing of the need or desirability of incorporating a cooling device as taught by Thompson et el. in the ultraviolet curing-based system of Averill et al.

Thus, Claim 57 is patentable over the proposed combination of Averill et al., Thompson et al. and Yawata et al.

Claims 8 and 55 depend from Claim 57, and are thus patentable for at least the same reasons as Claim 57.

The rejection of Claim 50 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114,in view of Thompson et al., U.S. Patent 5,640,659, as applied to Claim 1, and further in view of Eisler, U.S. Patent 2,971,073, is overcome or otherwise rendered moot by the above Amendment.

Claim 50 depends from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejections of Claims 51 and 52 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114,in view of Thompson et al.,

U.S. Patent 5,640,659, as applied to Claim 1, and further in view of Schultheis et al., U.S. Patent Application Publication 2007/0172268, are overcome or otherwise rendered moot by the above Amendment.

Claims 51 and 52 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

The rejections of Claims 53 and 54 under 35 U.S.C. §103(a) as being unpatentable over Averill et al., U.S. Patent 5,865,114,in view of Thompson et al., U.S. Patent 5,640,659, as applied to Claim 1, and further in view of Waterschoot, U.S. Patent 6,539,197, are overcome or otherwise rendered moot by the above Amendment.

Claims 53 and 54 depend from Claim 56, and are thus patentable for at least the same reasons as Claim 56.

Withdrawn Claims

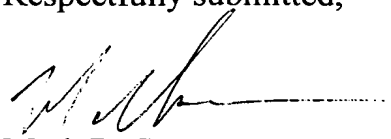
Withdrawn Claims 23 and 49 depend from Claim 56. As base Claim 56 is believed to be in condition for allowance, withdrawn Claims 23 and 49 are also believed to be in condition for allowance and notification to that effect is solicited.

Conclusion

Applicants believe that the above Amendment and remarks address each and every issue raised by the Examiner and overcome each and every rejection. However, should the Examiner detect any remaining issue, Applicants kindly request

the Examiner to contact the undersigned by telephone, in an effort to expedite examination of this Patent Application.

Respectfully submitted,



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